

The Honorable Lauren King

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

NO. 2:25-cv-00244-LK

DECLARATION OF ANDREW HUGHES
IN SUPPORT OF PLAINTIFFS' MOTION
TO COMPEL DISCOVERY

NOTE ON MOTION CALENDAR:
Wednesday, May 21, 2025

I, Andrew Hughes, declare as follows:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge. I am one of the attorneys representing Plaintiff State of Washington in the above-captioned matter.

2. Attached as Exhibit A is a true and correct copy of First Set of Interrogatories and Requests for Production to Defendants, which was served on counsel for Defendants on March 19, 2025

3. Attached as Exhibit B is a true and correct copy of Plaintiffs' Amended Subpoena Duces Tecum to Michelle Bulls. The subpoena was initially served on counsel for Defendants on March 19, 2025, and this amended subpoena was served on March 25, 2025.

4. Attached as Exhibit C is a true and correct copy of an email string between counsel for the parties, dated March 19 to April 7, 2025.

5. Attached as Exhibit D is a true and correct copy of a document I received from a current National Institutes of Health employee titled “Terminations – NICHD_Master.xlsx.” Because the whistleblower reasonably fears retaliation, I am not disclosing their identity in connection with this filing. According to the metadata on the native spreadsheet, this document was created on March 3, 2025, by “OPERA,” which I understand to refer to NIH’s Office of Policy for Extramural Research Administration. *See* National Institutes of Health, *Office of Policy for Extramural Research Administration (OPERA)* (February 14, 2025), <https://grants.nih.gov/aboutoer/oer-offices/opera>. The metadata reveals that this spreadsheet was last modified on March 24, 2025, by Dr. Rohan Hazra who, according to NIH’s website, is the Director of the Division of Extramural Affairs for the National Institute for Child Health and Human Development, one of the institutes that comprise NIH. National Institutes of Health, *BioSketch of the Director, Division of Extramural Research, Rohan Hazra, M.D.* (March 28, 2022), https://www.nichd.nih.gov/about/profiles/leadership/der_director. The highlighting in Exhibit D was added by me for ease of the Court’s reference.

6. Attached as Exhibit E is a true and correct copy of another document I received from the same whistleblower titled “START_report - _NIH_Alignment_to_EO_3_7_25.docx.” According to the document’s header, this is a memo from “Matthew J. Memoli, MD, MS Acting Director, NIH” to “Ken Callahan Senior Advisor Policy and Implementation,” dated “3/11/2025.” The subject of the memo is “Initial Actions Regarding President Trump’s Executive Orders – INFORMATION.”

7. Attached as Exhibit F is a true and correct copy of an email string between counsel for the parties and Courtroom Deputy Natalie Wood, dated March 31, 2025.

8. Attached as Exhibit G is a true and correct copy of excerpts of the transcript of the deposition of Michelle Bulls, taken in this matter on April 3, 2025.

9. Attached as Exhibit H is a true and correct copy of excerpts of the transcript of the deposition of Liza Bundesen, taken in this matter on April 4, 2025.

10. Attached as Exhibit I is a true and correct copy of an email string between the parties' counsel dated April 11 to April 28, 2025.

11. Attached as Exhibit J is a true and correct copy of Defendants' Objections and Responses to Plaintiffs' First Set of Interrogatories and Request for Production, dated April 18, 2025.

12. Attached as Exhibit K is a true and correct copy of Defendants' Objections and Responses to State of Washington's Subpoena Pursuant to Rule 45 to Michelle Bulls for Documents and Testimony, dated April 18, 2025.

13. Attached as Exhibit L is a true and correct copy of an email string between counsel for the parties dated March 19 to April 28, 2025.

14. Attached as Exhibit M is a true and correct copy of a letter from Plaintiffs' counsel Will McGinty to Defendants' counsel, dated April 24, 2025.

15. Attached as Exhibit N is a true and correct copy of an email from Defendants' counsel to Plaintiffs' counsel, dated April 30, 2025.

16. I certify that on April 25, 2025 at 10:00 a.m. PST, my colleague Will McGinty and I in good faith conferred with Defendants' counsel Christian Daniel, Vinita Andrapalliyal, and Robert Bombard via Zoom in an effort to obtain the requested discovery without court action.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 30th day of April 2025 at Seattle, Washington.

/s/ Andrew Hughes

ANDREW HUGHES, WSBA #49515
Assistant Attorney General